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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MICHAEL RUSSELL,	:	
	:	
Petitioner	:	
	:	
	:	CIVIL NO. 1:CV-00-2182
	:	
MARTIN F. HORN, ET AL.,	:	(Judge Caldwell)
	:	
Respondents	:	

ORDER

FILED
HARRISBURG, PA

JAN 30 2001

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

MARY E. DANIELA, CLERK
PER *[Signature]* DEPUTY CLERK

This is a petition for a writ of habeas corpus filed under 28 U.S.C. § 2254. The financial affidavit accompanying the prisoner's motion to proceed in forma pauperis indicates that he may not be required to pay the filing fee of \$5.00.

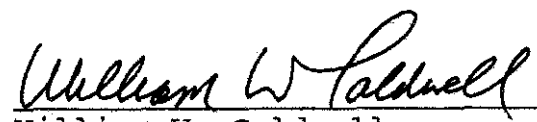
Therefore, the warden or other appropriate official will be directed to provide this court with a record of the transactions, inflow and outflow of funds through the prisoner's account, which occurred within the preceding six-month period and advise the court of the present balance in the prisoner's account. The court shall

also be advised whether the prisoner has institutional employment and, if so, his average monthly income from the job.

If the records are at another institution or if the records are for some reason unavailable, this court should be so informed.

Accordingly, this 30th day of January, 2001, it is ordered that:

1. Within ten days of the date of this order, the warden or other appropriate official shall complete the attached affidavit form and provide the requested information to the court.
2. The warden shall simultaneously provide a copy of the completed affidavit to the petitioner.


William W. Caldwell
United States District Judge

AFFIDAVIT

(To be completed by the appropriate prison official)

CIVIL ACTION NO. 1:CV-00-2182

I, _____, being duly sworn, depose and say:

(1) I am employed as _____ at _____.

I have served in that capacity since _____, _____.

(2) The petitioner, Michael Russell, Reg. No. _____, is presently incarcerated at the said institution.

(3) The following is a listing of assets at the said institution belonging to plaintiff:

a. Prison account

1. Present balance: \$ _____

2. Total amount of deposits during six months preceding the filing of the complaint: \$ _____

3. Average monthly balance: \$ _____

4. Average monthly deposits: \$ _____

b. Employment

1. Institutional employment: \$ _____

2. Average monthly wage: \$ _____

c. Other resources: _____

(4) I have attached a true and correct copy of the record of the transactions of the prisoner's account which occurred within the six months preceding the filing of the complaint.

(5) The above information set forth in this affidavit is true and correct to the best of my knowledge, information and belief.

SignatureSworn to and subscribed
before me this _____ day

of _____, 2001.

Return to:_____
Notary Public
My Commission Expires:United States District Court
235 N. Washington Avenue
P.O. Box 1148
Scranton, PA 18501-1148

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

January 30, 2001

Re: 1:00-cv-02182 Russell v. Horn

True and correct copies of the attached were mailed by the clerk to the following:

Michael Russell
SCI-WAYMART
CM-0064
P.O. Box 256
Route 6
Waymart, PA 18472-0256

CC:

Judge

Magistrate Judge

U.S. Marshal

Probation

U.S. Attorney

Atty. for Deft.

Defendant

Warden

Bureau of Prisons

Ct Reporter

Ctroom Deputy

Orig-Security

Federal Public Defender

Summons Issued

with N/C attached to complt. and served by:
U.S. Marshal () Pltf's Attorney ()

Standard Order 93-5

Order to Show Cause

with Petition attached & mailed certified mail
to: US Atty Gen () PA Atty Gen ()
DA of County () Respondents ()

Bankruptcy Court

Other

MARY E. D'ANDREA, Clerk

DATE :

BY:

Deputy Clerk